

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	Case No. 3:04cr130(1-2)
vs.	:	
	:	JUDGE WALTER HERBERT RICE
RONALD TAYLOR,	:	
	:	
and	:	
	:	
RICHARD AUSTON,	:	
	:	
Defendants.	:	

ENTRY SETTING FORTH PROCEDURES LEADING TO THE
RESOLUTION OF PROPERTY FORFEITURE PROCEEDINGS

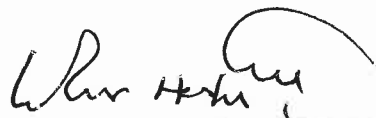
The Defendants Ronald Taylor ("Taylor") and Richard Auston ("Auston") were convicted of numerous drug related offenses and sentenced. In addition, to terms of imprisonment, the Government sought to forfeit a significant amount of property. A list of that property is attached to Doc. #271. On May 4, 2007, this Court entered an Order staying property forfeiture proceedings. See Doc. #295. Taylor's direct appeal from his convictions and sentence remains pending before the Sixth Circuit.¹

¹On March 1, 2012, Taylor's appeal will be presented to the Sixth Circuit on briefs.

Auston has challenged the first item on the Government's list of property to be forfeited, arguing that this item could expose him to liability for \$10,000,000. See Doc. #274. According to Auston, it would be improper to impose such liability on him, given his relatively minor role in the conspiracy. Id. The Government has not responded to Auston's argument in that regard. Accordingly, the Court directs the Government to file a responsive memorandum within 30 days from date. Auston shall have 15 days thereafter in which to file a reply memorandum, if such is deemed appropriate.² Thereafter, the Court will rule on forfeiture as it relates to Auston.

The Court will not resolve the question of forfeiture of property, as it relates to Taylor, until his direct appeal is final.³

February 1, 2012



WALTER HERBERT RICE, JUDGE
UNITED STATES DISTRICT COURT

Copies to:

Counsel of Record.

²The Court appoints Phillip Lehmkuhl, who represented Auston during the trial of this matter and who filed Auston's memorandum (Doc. #274), to represent him before this Court in forfeiture proceedings.

³On December 10, 2009, the Sixth Circuit affirmed Auston's convictions and sentence. United States v. Auston, 2009 WL 4730406 (6th Cir. 2009).